

Contract # M00574/1
Vendor # 54297

AMENDMENT NO. 1 TO

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE NEW MEXICO DEPARTMENT OF TRANSPORTATION

AND

SANTA FE COUNTY

FOR THE NORTHEAST CONNECTOR FROM ST. FRANCIS DRIVE TO RICHARDS AVENUE

THIS AMENDMENT NO. 1, made and entered into this 6TH day of June, 2012 by and between the NEW MEXICO DEPARTMENT OF TRANSPORTATION, herein referred to as the "DEPARTMENT", and the BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, a political subdivision of the State of New Mexico, herein referred to as the "COUNTY".

WITNESSETH:

WHEREAS, DEPARTMENT and COUNTY entered into a Memorandum of Understanding (MOU) dated June 6, 2006 whereby COUNTY and DEPARTMENT agreed to cooperate in the construction of the Northeast Connector from St. Francis Drive to Richards Ave. in Santa Fe, New Mexico;

WHEREAS, Section Nine – Amendment requires an instrument in writing and executed by the parties to effectuate any amendments to the MOU;

WHEREAS, the DEPARTMENT desires, and COUNTY has agreed, to amend the term of this MOU; and

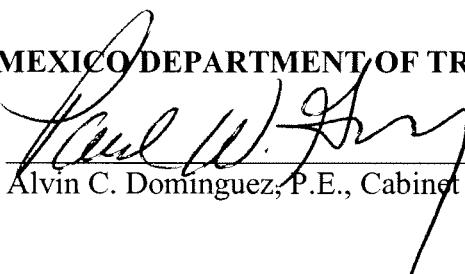
WHEREAS, the DEPARTMENT desires, and COUNTY has agreed, to amend Item No. 5 page two (2) under the heading "THE COUNTY" to allow for an extension of time within which to design and construct the Northeast Connector.

NOW THEREFORE, it is mutually understood and agreed by DEPARTMENT and COUNTY that the Memorandum of Understanding for the Northeast Connector dated June 6, 2006 is hereby amended in the following particulars only:

1. Item No. 5 on Page 2 under the heading "THE COUNTY" shall be deleted and replaced with the following: "The COUNTY agrees that the Northeast Connector shall be designed and constructed within 12 years of execution of this MOU and the COUNTY agrees to be responsible for all costs associated with design and construction";
2. This Amendment No. 1 shall be effective as of the date of execution of the Amendment by all parties.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 1 to Memorandum of Understanding for the Northeast Connector to be executed on the date above written.

NEW MEXICO DEPARTMENT OF TRANSPORTATION

By: 
cc: Alvin C. Dominguez, P.E., Cabinet Secretary NMDOT

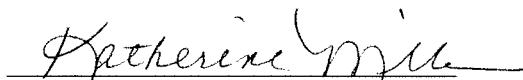
Date: 6/6/12

APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL

By: 
Assistant General Counsel

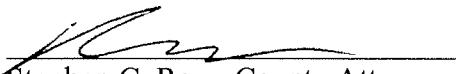
Date: 6-6-12

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY, NEW MEXICO**


Katherine Miller, County Manager

Date: 6-1-12

Approved as to Form:


Stephen C. Ross, County Attorney

Date: 6-1-12